

REMARKS

In this Response, Applicants amend claims 1, 11, 14, 16, 18, 21, 22, 25, 27 and 29. In addition, Applicants add new claims 32 and 33, and cancel claims 5, 15 and 26 without disclaimer. No new matter has been added. Support for the claim amendments can be found at least in previously presented claim 5 and at paragraphs 4 and 52 of the publication application.

Claims 1, 2, 4, 6, 8-12, 14, 16, 18-23, 25, 27 and 29-33 are currently pending, of which claims 1, 11, 21 and 22 are independent. Applicants respectfully submit that all of the pending claims are in condition for allowance.

I. Telephone Interview with the Examiner

Applicants thank the Examiner for the telephone interview with the Examiner on March 12, 2009. The interview focused on the 35 U.S.C. § 103(a) rejection of the pending claims based on U.S. Patent No. 7,000,187 to Messinger et al. (hereafter “Messinger”) and U.S. Patent No. 6,128,622 to Bach et al. (hereafter “Bach”). More specifically, Applicants argued that Messinger and Bach, alone or in any combination, fail to teach or suggest “dynamically determine a new sub-task that is required to be performed by the user to complete the task, the new sub-task being determined based on the change in the datum corresponding to the parameter of the sub-task” and “automatically update the list to include the new sub-task,” as previously presented in claim 1.

Applicants also proposed amending the claims to include the features of previously presented claim 5. With regard to this proposed amendment, the Examiner indicated that he would need to update his prior art search.

II. Claim Rejection under 35 U.S.C. § 103(a)

Claims 1, 2, 4-6, 8-12, 14-16, 18-23, 25-27 and 29-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Messinger in view of Bach (Office Action, page 3). Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 1, 2, 4-6, 8-12, 14-16, 18-23, 25-27 and 29-31 for the reasons set forth below.

A. Claim 1

Applicants respectfully submit that Messenger and Bach, alone or in any combination, fail to teach or suggest at least the following features of independent claim 1: “enable the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list” and “based on the information entered by the user in the panel associated with the sub-task, determine a change in a datum corresponding to a parameter of another sub-task, and automatically update the list to update the datum of the other sub-task.”

“enable the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list”

Messenger and Bach, alone or in any combination, fail to teach or suggest “enable the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list,” as recited in claim 1.

The Examiner cites column 6, lines 13-24 of Messenger as teaching or suggest the above feature as previously presented in claim 5 (Office Action, page 6). Applicants respectfully disagree with the Examiner’s interpretation of Messenger for the following reasons.

Messenger does not teach or suggest enabling a user to perform two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list, as required by claim 1. At column 6, lines 13-24, Messenger describes a process 60 of performing a task using the GUI window provided by Messenger, illustrated in Figure 3A (Messenger, Figure 3A and column 6, lines 13-24). The process 60 begins by displaying a task list 62 (Messenger, Figure 3A and column 6, lines 13-24). If the user requests a selected task, the process 60 proceeds to step 66 which includes a fixed sequence of task steps (Messenger, Figure 3A and column 6, lines 13-24). As illustrated in Figure 6B, this fixed sequence of task steps 140 **starts a task loop at step 225, and thereafter enters a larger loop until all steps are complete** (Messenger, Figure 6B and column 7, lines 53-57).

Thus, in the task loop 140 of Messinger, the user must perform the task steps in a fixed positional order as illustrated in the flowchart of Figure 6B. That is, the user in Messinger must perform the task steps in the positional order in which the task steps are defined in the flowchart of Figure 6B. As such, the user in Messinger is not enabled to perform tasks in a temporal order that is independent of a positional order in which the tasks are listed, as required by claim 1. For example, the user in Messinger is not able to perform the task loop 140 by starting at the middle of the flowchart of Figure 6B and then proceeding upward in the flowchart.

As such, Messinger does not teach or suggest “enable the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list,” as recited in claim 1.

The addition of Bach does not cure the shortcomings of Messinger with respect to the above feature of claim 1.

Bach also does not teach or suggest enabling a user to perform two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list, as required by claim 1. Bach presents a task wizard to enable a user to perform a step-by-step procedure for creating program specifications (Bach, abstract). The user in Bach must perform the tasks in a fixed positional order in which the tasks are listed in the task list on the left portion of the task wizard (Bach, Figure 7A). For example, Bach discusses that **one or more subsequent steps are constrained in that they cannot be performed until one or more preceding steps are completed** (Bach, column 10, lines 25-31).

Thus, in the task wizard of Bach, the user must perform the task steps in a fixed positional order, as illustrated in the task list of Figure 7A. That is, the user in Bach must perform the task steps in the positional order defined by the task list of Figure 7A. As such, the user in Bach is not enabled to perform tasks in a temporal order that is independent of a positional order in which the tasks are listed, as required by claim 1. For example, the user in Bach is not enabled to perform the task by starting at the middle of the task list of Figure 7A and then proceeding upward in the task list.

As such, Bach also does not teach or suggest “enable the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list,” as recited in claim 1.

“based on the information entered by the user in the panel associated with the sub-task, determine a change in a datum corresponding to a parameter of another sub-task, and automatically update the list to update the datum of the other sub-task”

Messinger and Bach, alone or in any combination, fail to teach or suggest “based on the information entered by the user in the panel associated with the sub-task, determine a change in a datum corresponding to a parameter of another sub-task, and automatically update the list to update the datum of the other sub-task,” as recited in claim 1.

Messinger does not teach or suggest based on information entered by a user in a panel associated with **one sub-task**, determining a change in a datum corresponding to a parameter of **another sub-task**, as required by claim 1. In addition, Messinger does not teach or suggest automatically updating a list of sub-tasks to update the datum of **the other sub-task**, as required by claim 1. As such, Messinger does not teach or suggest “based on the information entered by the user in the panel associated with the sub-task, determine a change in a datum corresponding to a parameter of another sub-task, and automatically update the list to update the datum of the other sub-task,” as recited in claim 1.

The addition of Bach does not cure the shortcomings of Messinger with respect to the above feature of claim 1.

Bach does not teach or suggest that the list includes a datum corresponding to a parameter for a sub-task. Thus, Bach cannot teach or suggest determining a change in a datum corresponding to a parameter of a sub-task, as required by claim 1. In addition, Bach cannot teach or suggest automatically updating a list of sub-tasks to update the datum of a sub-task, as required by claim 1. As such, Bach also does not teach or suggest “based on the information entered by the user in the panel associated with the sub-task, determine a change in a datum

corresponding to a parameter of another sub-task, and automatically update the list to update the datum of the other sub-task,” as recited in claim 1.

For at least the reasons set forth above, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claim 1.

B. Claims 2, 4-6 and 8-10

Claims 2, 4-6 and 8-10 depend from independent claim 1 and, as such, include all of the features of claim 1. As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claims 2, 4-6 and 8-10. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claims 2, 4-6 and 8-10.

C. Claim 11

Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest at least the following features of independent claim 11: “enabling the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list” and “based on the information entered by the user in the panel associated with the sub-task, determining a change in a datum corresponding to a parameter of another sub-task, and automatically updating the list to update the datum of the other sub-task.”

For at least the reasons set forth above, Applicants respectfully submit that a combination of Messinger and Bach does not teach or suggest enabling a user to perform two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list, as required by claim 11.

For at least the reasons set forth above, Applicants respectfully submit that a combination of Messinger and Bach does not teach or suggest based on the information entered by the user in the panel associated with the sub-task, determining a change in a datum corresponding to a

parameter of another sub-task, and automatically updating the list to update the datum of the other sub-task, as required by claim 11.

As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claim 11. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claim 11.

D. Claims 12, 14-16 and 18-20

Claims 12, 14-16 and 18-20 depend from independent claim 11 and, as such, include all of the features of claim 11. As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claims 12, 14-16 and 18-20. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claims 12, 14-16 and 18-20.

E. Claim 21

Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest at least the following features of independent claim 21: “means for enabling the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list” and “means for determining a change in a datum corresponding to a parameter of another sub-task based on the information entered by the user in the panel associated with the sub-task, and automatically updating the list to update the datum of the other sub-task.”

For at least the reasons set forth above, Applicants respectfully submit that a combination of Messinger and Bach does not teach or suggest enabling a user to perform two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list, as required by claim 21.

For at least the reasons set forth above, Applicants respectfully submit that a combination of Messinger and Bach does not teach or suggest determining a change in a datum corresponding to a parameter of another sub-task based on the information entered by the user in the panel

associated with the sub-task, and automatically updating the list to update the datum of the other sub-task, as required by claim 21.

As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claim 21. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claim 21.

F. Claim 22

Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest at least the following features of independent claim 22: “enabling the user to perform the two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list” and “based on the information entered by the user in the panel associated with the sub-task, determining a change in a datum corresponding to a parameter of another sub-task, and automatically updating the list to update the datum of the other sub-task.”

For at least the reasons set forth above, Applicants respectfully submit that a combination of Messinger and Bach does not teach or suggest enabling a user to perform two or more sub-tasks in a temporal order that is independent of a positional order in which the two or more sub-tasks are listed in the list, as required by claim 22.

For at least the reasons set forth above, Applicants respectfully submit that a combination of Messinger and Bach does not teach or suggest based on the information entered by the user in the panel associated with the sub-task, determining a change in a datum corresponding to a parameter of another sub-task, and automatically updating the list to update the datum of the other sub-task, as required by claim 22.

As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claim 22. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claim 22.

G. Claims 23, 25-27 and 29-31

Claims 23, 25-27 and 29-31 depend from independent claim 22 and, as such, include all of the features of claim 22. As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claims 23, 25-27 and 29-31. Accordingly, Applicants respectfully request reconsideration and withdrawal of the above 35 U.S.C. § 103(a) rejection of claims 23, 25-27 and 29-31.

III. New Claims 32 and 33

New claims 32 and 33 depend from independent claim 1 and, as such, include all of the features of claim 1. As such, Applicants respectfully submit that Messinger and Bach, alone or in any combination, fail to teach or suggest each and every feature of claims 32 and 33. Accordingly, Applicants respectfully submit that claims 32 and 33 are in condition for allowance.

CONCLUSION

In view of the above remarks, Applicants believes that the pending application is in condition for allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is respectfully urged to contact the Applicants' attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. ENB-006RCE2. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: **April 9, 2009**

Respectfully submitted,

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